

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ESTER LELCHOOK, individually and as personal
representative of the Estate of David Martin Lelchook,
MICHAL LELCHOOK, Yael LELCHOOK,
ALEXANDER LELCHOOK, and DORIS LELCHOOK,

Plaintiffs,

- against -

16-CV-07078-ILG-RLM

**DECLARATION OF ESTER
LELCHOOK**

THE ISLAMIC REPUBLIC OF IRAN, THE
CENTRAL BANK OF THE ISLAMIC REPUBLIC
OF IRAN (a/k/a Bank Markazi Jomhuri Islami Iran),
BANK SADERAT IRAN, and BANK SADERAT, PLC,

Defendants.

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Comes now the Declarant, Ester Lelchook, and in accordance with 28 U.S.C. §1746 hereby swears
and affirms as follows:

1. I am over the age of eighteen and am competent to testify to the facts and matters set forth herein. I am a Plaintiff in this case.
2. I was born July 5, [REDACTED], in Takuch, Romania. In 1967, at the age of 11, I immigrated with my family to Israel and since that time continuing until today I have been and am a citizen of Israel.
3. My name, which is reflected as Estera Lelchook on my Israeli Passport, can be translated from Hebrew: אסתר to both Esther and Ester in English.
4. I married my husband David Lelchook in [REDACTED] when I was 28 years old. I met David when he was in Israel for a short period of time. After we married, we moved to Boston, Massachusetts where we lived for one year. We then moved back to live in Israel where our daughters, Michal and Yael were born.
5. We first lived in Nahariya and then moved to Kibbutz Sa'ar where we lived for 30 years.

6. On August 2, 2006, my husband, David, was on his bicycle heading toward the safe room in our house from the kibbutz fields in Israel where he worked, when a terrorist missile launched by Hezbollah struck and killed him. The terrorist missile was fired from Lebanon by the Hezbollah terrorist organization (hereinafter the "Terrorist Rocket Attack"). The Terrorist Rocket Attack was one of thousands of rocket and missile attacks by Hezbollah against civilians in Israel carried out between July 12 and August 14, 2006.
7. At the time of his death my husband, who had been born in the United States, was a citizen of both the United States and of Israel.
8. Since my husband's murder I have remained a widow.
9. I have suffered serious injuries as a result of Terrorist Rocket Attack which killed my husband. When I learned of his murder in the Terrorist Rocket Attack which was sponsored by the Defendant, I experienced extraordinary grief, mental anguish, and emotional distress and these injuries continue to affect me to this day.
10. At the time David was killed, I was with my daughter). I had spent the night with her a she had been fearful of the hostilities that were going on near our home. Prior to his death, on that day I called my husband and he indicated that he was working in the fields on our kibbutz.
11. At approximately 2pm, I learned that there were missiles falling in the area of our kibbutz. I tried to reach my husband but was not able to do so. I then started getting calls from people on the kibbutz trying to locate me. I called a friend of mine on the kibbutz and I was told that my husband had been killed in the Terrorist Rocket Attack.
12. I remember being in total shock. I travelled back to our kibbutz where it was confirmed to me that my husband had been killed.
13. I was met by a social worker at the kibbutz. I had to go to the forensic department and confirm the identity of my husband. I vividly recall seeing his head which was so deformed from the

blast that closing his eyes was not possible. I cannot get that image out of my mind. It is with me forever.

14. I felt very guilty that I did not force my husband to leave the kibbutz with me because of the hostilities that were going on.

15. The grief and sadness that I felt after my husband's death has affected every area of my life, including my ability to interact with my family and job as a teacher.

16. I needed and received mental health counseling from a psychiatrist, Dr. Esther Rhodes Avraham. I attended grief counseling with Dr. Avraham for approximately 2 and a half years.

17. While I was coping with my own grief and sadness, I also had to help my children with their grief, as they were suffering terribly. I tried to keep our family unit together but it has been and continues to be very difficult.

18. I experience traumatic memories of the day of my husband's death, and these were particularly difficult at family get-togethers or family milestones. Even on times when I should be happy, such as the day of the birth of a grandchild, I would feel profound sadness and pain.

19. In the months and years following my husband's murder, I have found it difficult to sleep. I also lost a great deal of weight due to my chronic low appetite. I stopped caring about my personal hygiene and appearance.

20. I still experience flashbacks particularly when I am doing mundane activities. I have many dreams about my husband, imagining that he is not dead. Sometimes I experience heart palpitations and sudden worry about the wellbeing of others.

21. I have suffered enormously and continue to suffer a great deal because of the pain inflicted by the murder of my husband.

22. At the time of his death, my husband and I had two children, Michal Lelchhook and Yael Lelchhook. My husband's mother, Doris Lelchhook, was also alive at the time, and was a Plaintiff

in this action, although she has since passed away. My brother-in-law, Alexander Lelchhook, who is also a named Plaintiff in this action and was alive at that time, represents her estate as its Administrator.

23. I am the only heir of my husband's estate as his surviving spouse in Israel, as determined by the Israeli court procedures; and I am a Plaintiff in this action in my individual capacity and also as the representative of his estate.

I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING INFORMATION CONTAINED IN THIS DECLARATION IS TRUE AND CORRECT.

12/11/19
Date

LELCHOOK ESTER
Ester Lelchhook